

Office of the Standing Chapter 13 Trustee
Marianne DeRosa
100 Jericho Quadrangle; Suite 127
Jericho, NY 11753
516-622-1340 Telephone

August 5, 2020

[Via FedEx and email to <jvivenzio@mac.com>]

Mr. John Vivenzio
153 Quaker Path
Setauket, NY 11733

Re: John F. Vivenzio
Chapter 13 Case #8-19-71697-ast
Request for Documents

Mr. Vivenzio,

As you are aware, on July 28, 2020, the Court issued an Order Setting Evidentiary Hearing (the "Order"), scheduling an evidentiary hearing for August 17, 2020 as to several pending contested matters, including the feasibility of the Third Amended Plan (the "Plan"; Dkt. No. 34) and the Trustee's Motion to Dismiss (Dkt. Nos. 20, 36). The Order also provided for discovery to be completed not later than August 10, 2020.

Accordingly, the Trustee requests you provide the following items by August 10, 2020.

- 1) Complete 2019 federal and state tax returns for you, your spouse, Intellinetix Software, Inc., and any other entity owned or operated by you.
- 2) The most recent paystubs or other payment advice (including without limitation IRS 1099 forms) for each employment during the year 2020 for you, your spouse, any other member of your household, and any other potential contributor to your household.
- 3) Monthly operating reports or profit and loss ("P&L") statements for the period January 1, 2020 to date, verified by you under penalty of perjury, for each of your sources of self-employment income (directly or through a separate entity such as Intellinetix Software, Inc. or Vivenzio Associates, LLC) during the year 2020. Each P&L statement must be supported by business bank account statements; the period covered by each P&L statement should match the accompanying bank account statement.

- 4) All current records of aging accounts receivable for each of your sources of self-employment income during the year 2020.
- 5) All personal bank account statements (all pages) for you and your spouse for the year 2020 to date.
- 6) Affidavits of contribution for each contributor to the household during the Plan period, with supporting documentary proof of income.
- 7) Copies of any existing or pending contracts, invoices, work orders, etc., upon which you intend to rely to show your ability to make payments under the Plan.
- 8) Evidence of daughter's part time employment during 2020, referenced in the Plan.
- 9) Evidence of increase in business income from contract negotiation, referenced in the Plan.
- 10) Any existing documentation regarding the "new business starting sales of B2B software" referenced in the Plan, including without limitation, a business plan and evidence of ownership interest or license to sell the B2B software.
- 11) Any other existing documentation to show the ability to pay the step increases for 2020-2024 as outlined in the Plan, Part 2.1 Attachment.
- 12) Any other document upon which you will rely to show your ability to make payments under the Plan.

Please produce the above to my attention at the Trustee's office at the above address. Please note that any documentation provided to our office in response to this request must be provided in an organized fashion, with a cover letter identifying each item of the production and explaining how each item is responsive to the foregoing request.

Very truly yours,
/s/ Nathan Kaufman
Nathan Z. Kaufman, Staff Attorney

CC: All interested parties via ECF